

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ORLANDO GARCIA,
Plaintiff,

v.

PAUL F. MARCHI, et al.,
Defendants.

Case No. [21-cv-04608-SK](#)

FURTHER ORDER TO SHOW CAUSE

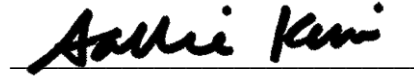
On November 16, 2021, the Court ordered Plaintiff to file a status report explaining whether a joint site inspection has taken place and whether Plaintiff intends to move for default judgment against Defendant 3435 Lakeshore Avenue, LLC. The Court also admonished Plaintiff that he has an obligation to review the filings in this case and to diligently prosecute this matter. Despite this admonishing, Plaintiff failed to file the required status report. As a result, the Court issued Plaintiff and Order to Show Cause (“OSC”) why this case should not be dismissed for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b) and required Plaintiff to file a written response to the OSC by no later than December 6, 2021. Plaintiff moved for entry of default against one of the defendants but did not actually file a response to the OSC. Plaintiff’s repeated failures to respond to the Court’s orders is unacceptable. Therefore, the Court ORDERS Plaintiff’s counsel to Show Cause in writing why counsel should not be personally sanctioned in the amount of \$700 due to these repeated failures to respond to the Court’s orders and to diligently prosecute this case. Plaintiff shall respond to this further OSC by no later than December 17, 2021.

The Court FURTHER ORDERS that Plaintiff shall file a motion for default judgment by no later than January 3, 2021. If Plaintiff fails to file a motion for default judgment by this date, the Court will reassign this case without any further notice with a report and recommendation to

dismiss this case for failure to prosecute.

IT IS SO ORDERED.

Dated: December 7, 2021



SALLIE KIM
United States Magistrate Judge